

JEFFREY K. BARTON

Clerk to the Board



June 21, 2011

SOLID WASTE DISPOSAL DISTRICT MEETING MINUTES

The Board of Commissioners of the Solid Waste Disposal District met at the County Commission Chambers, 1801 27th Street, Vero Beach, Florida, on Tuesday, June 21, 2011. Present were Chairman Bob Solari, Vice Chairman Gary C. Wheeler, Commissioners Wesley S. Davis, Joseph E. Flescher, and Peter D. O'Bryan. Also present were County Administrator Joseph A. Baird, County Attorney Alan S. Polackwich, Sr., and Deputy Clerk Maureen Gelfo.

Chairman Solari called the meeting to order at 11:08 a.m.

15.B.1. APPROVAL OF MINUTES MEETING OF MAY 17, 2011

The Chairman asked if there were any corrections or additions to the Minutes of the Regular Meeting of May 17, 2011. There were none.

ON MOTION by Vice Chairman Wheeler, SECONDED by Commissioner Flescher, the Board unanimously approved the Minutes of the Regular Meeting of May 17, 2011, as written.

15.B.2. APPROVAL OF MINUTES MEETING OF MAY 24, 2011

The Chairman asked if there were any corrections or additions to the Minutes of the Regular Meeting of May 24, 2011. There were none.

ON MOTION by Vice Chairman Wheeler, SECONDED by Commissioner Davis, the Board unanimously approved the Minutes of the Regular Meeting of May 24, 2011, as written.

15.B.3. SWDD FEEDSTOCK SUPPLY AGREEMENT WITH INEOS NEW PLANET BIOENERGY, LLC

Chairman Solari emphasized the importance of this agreement, which he felt the Board had been given insufficient time to review. He suggested TABLING the item until the next Board of County Commission meeting on July 5, 2011.

(Clerk's Note: Since no Motion was made to Table this item, discussion continued).

Commissioner O'Bryan mentioned that due to deadlines INEOS was facing, it was critical for them to get the agreement approved at this time. He pointed out that staff has been working on this item extensively.

Administrator Baird apologized, explaining why staff had not been able to provide the information to the Commissioners sooner.

Himanshu Mehta, Managing Director Solid Waste Disposal District, reviewed his June 10, 2011 memorandum to present an overview on Phase I of a Waste/Gas to Energy Project, wherein the County will supply feedstock (vegetative waste) and landfill gas to INEOS New Planet BioEnergy, LLC (INPB), for the manufacture of power and ethanol. He outlined the terms of the 20-year renewable Feedstock Supply Agreement, provided a financial analysis (pages 100 through 103 of the Agenda Packet), and relayed that the INPB center would become one of the County's designated debris collection sites after a storm. Director Mehta said that the project represents the first commercial demonstration of this technology in the nation, and would produce eight million gallons of ethanol per year and generate six megawatts of electricity. Director Mehta affirmed the project would bring economic and environmental benefits, jobs, and increased tax revenues, and proffered staff's recommendation for the Board, upon final direction of the County Attorney, to approve and authorize the Chairman to sign the attached Feedstock Supply Agreement with INEOS.

Discussion ensued, wherein Board members questioned Director Mehta on specific elements of the project, and Budget and Management Director Jason Brown addressed a question about the fees for ash.

David King, President, INEOS New Planet BioEnergy, 4107 Delta Wood Court, Houston, through a PowerPoint presentation (copy on file), provided a status update of the Indian River BioEnergy Center, which is currently under construction and expected to be mechanically complete by the second half of 2012. He said that having in the County a showcase for bioenergy technology would be a significant economic and environmental driver, creating an expanded tax base, educational opportunities, and a more productive use of landfill gasses. He relayed that INPB has received all the key state and federal permits, calculated that

almost 400 jobs would be created, and voiced that the new technology was creating a fresh paradigm in greenhouse gas emissions and residential waste, and a viable option to advance energy independence locally and nationally.

Chairman Solari questioned the wording of the safety procedures clause in the agreement, noting that he would like to see the word “reasonable” placed in front of “safety procedures.” He also sought and received information from Mr. King on the degree of private sector funding in the project.

Commissioner Flescher remarked that the INPB project would put the County on the map, and extended kudos to Mr. King and members of the INPB team on their commitment to the project and to the local community.

MOTION WAS MADE by Commissioner Flescher, SECONDED by Commissioner O’Bryan to approve in substantial form the Feedstock Agreement with INEOS New Plant BioEnergy, LLC and the Indian River Solid Waste Disposal District (SWDD); and to authorize the Chairman to sign the executed Agreement upon final direction from the County Attorney.

Staff addressed Commissioner Davis’s question on what would happen if INPB became insolvent and was forced to shut down operations.

Commissioners Davis and O’Bryan hoped that the INPB Project would impel the Florida Department of Transportation to put an I-95 interchange at Oslo Road.

Chairman Solari emphasized that he was supportive of the INBP Project itself. However, he did not support the Motion based on his analysis that the agreement with SWDD was somewhat one-sided.

Attorney Polackwich provided his analysis that the agreement was well structured.

Mr. King provided further information for Commissioner Flescher on the scope of the project, and whether future expansion would be possible.

The Chairman CALLED THE QUESTION, and by a 4-1 vote (Chairman Solari opposed), the Motion carried. The Board: (1) approved in substantial form the Feedstock Agreement with INEOS New Plant BioEnergy, LLC; and (2) authorized the Chairman to sign the executed Agreement upon final direction from the County Attorney, as recommended in the memorandum of June 10, 2011.

AGREEMENT ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

ALL BACKUP DOCUMENTATION, RESOLUTIONS, AND ORDINANCES ARE ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD AND ARE HEREBY MADE A PART OF THESE MINUTES

There being no further business, the Chairman declared the meeting adjourned at 12:02 p.m.

ATTEST:

Jeffrey K. Barton, Clerk

Bob Solari, Chairman

Minutes Approved: _____

SWDD/2011Minutes